

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

“A DEVICE AND A METHOD FOR SUPPLYING CONDITIONED AIR TO AN AIRCRAFT”

Case No. HGB-P-01-001, the specification of which

X is attached hereto.
_____ was filed on _____, as
Application Serial No. _____
and was amended on _____.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

We acknowledge the duty to disclose to the United States Patent Office all information which is known to us to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a)¹.

We do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and we believe that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by us or our legal representatives or assigns, except as identified below:

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below:

¹(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of unpatentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

Prior Foreign Application(s)
Number Country Date
and have also identified below any foreign application for patent or inventor's certificate having a
filing date before that of the above listed application on which priority is claimed:
Prior Foreign Application(s)

Number Country Date

If no priority is claimed, I have identified all foreign patent applications filed prior to this
application.

And we hereby appoint Brian M. Mattson (Reg. No. 35, 018) of the firm of Patents+TMS,
A Professional Corporation as my attorney with full power of substitution and revocation, to
prosecute this application and to transact all business in the Patent and Trademark Office connected
therewith and direct that all correspondence be forwarded to:

Patents+TMS
A Professional Corporation
1914 N. Milwaukee Avenue
Third Floor
Chicago, IL 60647
Telephone: 773-772-6009

We hereby declare that all statements made herein of our own knowledge are true and that
all statements made on information and belief are believed to be true; and further that these
statements were made with the knowledge that willful false statements and the like so made are
punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States
Code and that such willful false statements may jeopardize the validity of the application or any
patent issued thereon.

Full name of first inventor Harry G. Bombardi
Inventor's signature [Signature] Date 22 Feb 2001
Residence 4078 MARGATE DR. BEAVERCREEK OH 45430-2067
Citizenship USA
Post Office Address Same

[Signature] Full name of second inventor Daniel Lyons DANIEL LYONS
Inventor's signature [Signature] Date 22 Feb 2001
Residence 11213 CHADLER RD JAMESSTOWN OH 45335
Citizenship USA
Post Office Address Same

A S S I G N M E N T

FOR a valuable consideration, the undersigned, **Harry G. Bombardi** residing in **Beavercreek, Ohio**; and **Danny L. Lyons** residing in **Jamestown, Ohio** do hereby sell, assign and transfer unto **Boom Air, L.L.C.**, a limited liability company operating under the laws of the State of Ohio, the whole right, title and interest in and to a certain invention or improvement in an invention entitled:

"A DEVICE AND A METHOD FOR SUPPLYING CONDITIONED AIR TO AN AIRCRAFT"

for which an application for a United States Patent was filed on **March 5, 2001, U.S. Patent Application Serial Number 09/799,144**; prepared by the firm of **Patents+TMS**, a Professional Corporation of Chicago, Illinois, said application being identified in the office records of said firm as **Case No. HGB-P-01-001**.

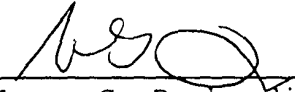
We, **Harry G. Bombardi** and **Danny L. Lyons**, for valuable consideration, do sell, assign and transfer unto said assignee the full and exclusive right to the said invention in the United States and the entire right, title and interest in and to any and all patents which may be granted therefore in the United States. We hereby authorize and request the Commissioner for Patents to issue said United States Patent to **Boom Air, L.L.C.**, of the entire right, title, and interest in and to the same, for its sole use and behoof; and for the use and behoof of its legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by us had this assignment and sale not been made.

For the same consideration, we hereby agree that we will promptly communicate to the aforesaid assignee or its assigns full and complete information concerning said improvements or betterments of the inventions disclosed in said application, and will cooperate at any time upon request of said assignee or its assigns, at its expense, in the procurement of patent protection to cover the inventions herein assigned and to be assigned, including the execution of new, divisional, continuing and reissue applications; will make all rightful oaths, will testify in any proceedings in the United States Patent Office or in the Courts, and generally will do everything lawfully possible to aid said assignee, its successors, assigns and nominees to obtain, enjoy and enforce proper patent protection for the inventions embraced within the terms of this document.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal at:

City of Jamestown
County of GREENE
State of OHIO

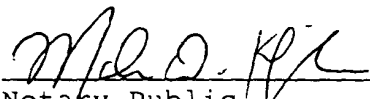
Date: 07 NOV 01


Harry G. Bombardi

Before me personally appeared **Harry G. Bombardi** known to me to be the person who executed the foregoing document, and acknowledged the execution and delivery thereof, under his seal, for the uses and purposes therein set forth on the and year aforesaid.

SEAL:


17, 2005


Notary Public

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal at:

City of Jamestown
County of GREENE
State of OHIO

Date: NOV 7-01


Danny L. Lyons

Before me personally appeared **Danny L. Lyons** known to me to be the person who executed the foregoing document, and acknowledged the execution and delivery thereof, under his seal, for the uses and purposes therein set forth on the and year aforesaid.

SEAL:

17, 2005


Notary Public